

Appl. No. 09/752,004  
Amdt. Dated September 15, 2005  
Reply to Office action of June 15, 2005  
Attorney Docket No. P12671-US1  
EUS/J/P/05-3212

### **REMARKS/ARGUMENTS**

#### **Claim Amendments**

The Applicant has amended claims 1-2, 9-10 and 15; claims 3, 11, and 17-24 have been canceled. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-2, 4-10 and 12-15 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

#### **Examiner Objections - Claims**

Claim 1 was objected to because of informalities. The Applicant appreciates the Examiner's thorough review of the claims. The Applicant has amended the claims as suggested by the Examiner in order to correct the informalities. The Examiner's consideration of the amended claims is respectfully requested.

#### **Claim Rejections – 35 U.S.C. § 101**

Claims 17-24 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 17-24 have been canceled.

#### **Claim Rejections – 35 U.S.C. § 112**

Claims 2, 10 and 18 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter as the invention. Claim 18 has been cancelled rendering the rejection of that claim moot. The language objected to in claims 2 and 10 has been amended.

#### **Claim Rejections – 35 U.S.C. § 103 (a)**

Claims 1, 3-9, 11-17 and 19-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schuster, et al (US 6,625,119) in view of Gai, et al. (US 6,167,445). Claims 3, and 17-24 have been canceled in order to expedite allowance of the application. The Applicant respectfully traverses the rejection of the remaining claims.

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The present invention discloses a method and module for routing VOIP emergency calls in a VLAN network. A range of specific port numbers used by VOIP devices are reserved for handling emergency phone calls. When an emergency call is sent over a VLAN, any VLAN aware device that detects the packets with the emergency port number increases the priority of the packet (for example, from 6 to 7). The packet already has an associated priority value present in the user priority field of the packet. The combination of the value of the priority field and the port number falling in the specific range, as noted above, causes the VLAN to send the packets to a higher priority queue than indicated by the priority field, to handle the emergency call promptly.

The Schuster reference appears to disclose a method and system for increasing call traffic in a packet switched network in emergency mode. Essentially, Schuster discloses detecting an emergency by surges in incoming media streams and conventional traffic surges such as during a natural disaster (Abstract). Schuster increases call traffic for emergency calls by restricting bandwidth per media stream (Col. 6, 24-36).

The Gai reference appears to disclose a method and apparatus for implementing high-level QoS policies in computer networks. High-level network policies are administered by a policy server according to a set of rules associated with applications, domains and users. In one embodiment, the rules correspond to particular roles assigned to intermediate interfaces that are utilized by the interfaces to classify packets and treat them in a particular manner to actualize the high-level policies in the domain (abstract). The Gai reference was cited for teaching reserving a range of specific port numbers and identifying traffic types for different times or emergency situations (col. Lines 19-24). It is respectfully submitted that Gai discloses a method for constructing a template for use in the event of an emergency call and does not address the above-identified deficiencies of Schuster with respect to Applicant's invention (col 12, lines 19-24). The combination of the Schuster and Gai references fails to teach utilizing detection of the priority value and the port number in order to increase the priority of the call for improved emergency call handling.

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It is well known in the art that port numbers and priority fields are present in packets in a VLAN. The combination of the Schuster and Gai references note the presence of the priority field and the port number in the packet, as does the invention of the Applicant. What is unique to Applicant's invention, and what is not suggested in the Schuster and Gai references is the manner in which the two attributes are utilized that the present application discloses - a port number in a reserved specific range of port numbers and an emergency priority value. When these two attributes are detected, the network can increase the current priority value to improve the connection of that emergency call. Amended independent claim 1 claims this inventive element.

For all of the above reasons, Schuster and Gai, taken singly or in combination, fail to teach or suggest all of the subject matter of claims 1-2, 4-10, and 12-16 as required by 35 U.S.C. §103(a). The Applicant respectfully requests the withdrawal of the rejection of these claims.

#### **Prior Art Not Relied Upon**

In paragraph 8 on page 6 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure.

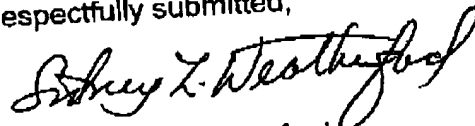
204  
Amdt. Dated September 15, 2005  
Reply to Office action of June 15, 2005  
Attorney Docket No. P12671-US1  
EUS/J/P/05-3212

### CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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